

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, )  
PLAINTIFF, )  
V. )  
GIUSEPPE TORRENTE, )  
DEFENDANT. )

2005 FEB 11 A 10:28  
CRIM. NO. 04-10288-RWZ

DEFENDANT'S MOTION TO ALTER TERMS OF  
PRE-TRIAL RELEASE

Now comes the defendant in the above-entitled matter, by and through undersigned counsel, and does respectfully request this Honorable Court to alter the terms of his pre-trial release as follows:

1. Relax the condition prohibiting the defendant from accepting employment on any vessel engaged in commercial fishing.
2. Permit the defendant to accept employment on a commercial fishing vessel.
3. Permit the defendant to accept such employment with the condition that he notify his pre-trial services officer, at least 24 hours in advance, of the specific dates of each departure and scheduled return.
4. Permit the defendant to accept such employment with the condition that he notifies his pre-trial services officer of a telephone number that he might be reached at while employed at sea.
5. Permit the defendant to accept such employment with the condition that he notifies his pre-trial services officer immediately upon his return to port and that he make himself available for drug testing and reporting within 24 hours of his return to port.

As reason therefor, and in support thereof, the defendant submits that he has had extreme difficulty maintaining steady employment in the field of electrical services and that he has the opportunity to help support himself and his family by engaging in commercial fishing with his father with whom he resides. Furthermore, the defendant surrendered himself in this matter, has no record, and is not a flight risk as evidenced by his pre-trial behavior of almost one year.

Furthermore, Assistant U.S. Attorney Dave Tobin has been notified of this request and does not have any objection hereto. Similarly, U.S. Pre-Trial Services Officer Thomas O'Brien, who is supervising Mr. Torrente, has been notified of this request and also does not have any objection hereto.

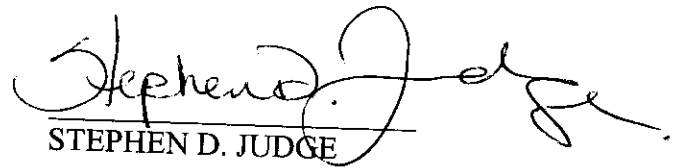
Wherefore, the defendant does hereby respectfully request that his pre-trial conditions of release be relaxed to allow for his employment on a commercial fishing vessel under the conditions outlined above.

Respectfully submitted,  
GIUSEPPE TORRENTE  
By his attorney,

  
STEPHEN D. JUDGE  
BBO #563390  
23 Central Ave., Suite 605  
Lynn, MA 01901  
781-599-2800

CERTIFICATE OF SERVICE

I, Stephen D. Judge, Esquire, hereby certify that I have delivered copies of the within Defendant's Motion to Alter Terms of Pre-Trial Release by mailing same to the AUSA David G. Tobin, United States Attorney's Office, 1 Courthouse Way, Suite 9200, Boston, MA, this 10<sup>th</sup> day of February, 2005.

  
STEPHEN D. JUDGE